

**McCORMACK DECLARATION**

**EXHIBIT M**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
ATLANTIC CASUALTY INSURANCE COMPANY,Case No.:  
07CIV4098

Plaintiff,

V.

**RESPONSE TO  
COMBINED  
DEMANDS**FORTHRIGHT CONSTRUCTION, INC., WONDER  
WORKS CONSTRUCTION CORP., AND  
VASILIS AFTOUSMIS and CONSTANTIA AFTOUSMIS,

Defendants.

-----X

Defendant FORTHRIGHT CONSTRUCTION, INC., by their attorneys, the **LAW OFFICES OF WILLIAM PAGER**, as and for a response to Plaintiff's Demand for Interrogatories dated October 11, 2007, alleges upon information and belief, as follows:

1.	Insurer	<b>Atlantic Casualty Insurance</b>												
	Policy #, Dates	LO36000522 11/24/03-11/24/04												
		LO36001127 11/24/04-11/24/05												
		LO36001737 11/24/05-11/24/06												
	Name of Insured	Forthright Construction, Inc.												
	Policy Limits	<table> <tbody> <tr> <td>General Aggregate</td> <td>2,000,000</td> </tr> <tr> <td>Completed OPS Aggregate</td> <td>1,000,000</td> </tr> <tr> <td>Personal &amp; Advertising Injury</td> <td>1,000,000</td> </tr> <tr> <td>Each Occurrence</td> <td>1,000,000</td> </tr> <tr> <td>Fire Damage</td> <td>50,000</td> </tr> <tr> <td>Medical Expenses</td> <td>5,000</td> </tr> </tbody> </table>	General Aggregate	2,000,000	Completed OPS Aggregate	1,000,000	Personal & Advertising Injury	1,000,000	Each Occurrence	1,000,000	Fire Damage	50,000	Medical Expenses	5,000
General Aggregate	2,000,000													
Completed OPS Aggregate	1,000,000													
Personal & Advertising Injury	1,000,000													
Each Occurrence	1,000,000													
Fire Damage	50,000													
Medical Expenses	5,000													
2.	Insurer	<b>Tower Insurance Company of NY</b>												
	Policy #	CGL2610688												
	Name of Insured	Forthright Construction, Inc.												
	Dates	05/26/06-05/26/07; 05/26/07-05/26/08												
	Policy Limits	<table> <tbody> <tr> <td>General Aggregate</td> <td>2,000,000</td> </tr> <tr> <td>Completed OPS Aggregate</td> <td>1,000,000</td> </tr> <tr> <td>Personal &amp; Advertising Injury</td> <td>1,000,000</td> </tr> <tr> <td>Each Occurrence</td> <td>1,000,000</td> </tr> <tr> <td>Damage to Premises Rented to You</td> <td>100,000 Any one Premise</td> </tr> <tr> <td>Medical Expenses</td> <td>50,000 Any one Person</td> </tr> </tbody> </table>	General Aggregate	2,000,000	Completed OPS Aggregate	1,000,000	Personal & Advertising Injury	1,000,000	Each Occurrence	1,000,000	Damage to Premises Rented to You	100,000 Any one Premise	Medical Expenses	50,000 Any one Person
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Each Occurrence	1,000,000													
Damage to Premises Rented to You	100,000 Any one Premise													
Medical Expenses	50,000 Any one Person													

Insurer	<b>American International Companies</b>	
Policy #, Dates	WC 7482109	10/24/03-10/24/04
	WC 775979100	10/24/04-10/24/05
	WC 681264200	10/24/05-10/24/06
	WC 896997800	10/24/06-10/24/07
	WC 6594794	10/24/07-10/24/08
Name of Insured	Fcrthright Construction, Inc.	
Policy Limits	Bodily Injury by Accident	100,000 each accident
	Bodily Injury by Disease	500,000 policy limit
	Bodily Injury by Disease	100,000 each employee
Insurer	<b>Atlantic Casualty Insurance</b>	
Policy #, Dates	LO36000522	11/24/03-11/24/04
	LO36001127	11/24/04-11/24/05
	LO36001737	11/24/05-11/24/06
Name of Insured	Forthright Construction, Inc.	
Policy Limits	General Aggregate	2,000,000
	Completed OPS Aggregate	1,000,000
	Personal & Advertising Injury	1,000,000
	Each Occurrence	1,000,000
	Fire Damage	50,000
	Medical Expenses	5,000
Insurer	<b>Sirius America Insurance Company</b>	
Policy #, Dates	IRS105049	05/24/04-05/24/05
	IRS107746	05/24/05-05/24/06
Name of Insured	Forthright Construction, Inc.	
Policy Limits	General Aggregate	2,000,000
	Completed OPS Aggregate	1,000,000
	Personal & Advertising Injury	1,000,000
	Each Occurrence	1,000,000
	Fire Damage	50,000
	Medical Expenses	5,000

3. Steven Bykovsky, BR Vital Brokerage, Inc.  
Sveta Soltanova, Svema Insurance Agency Corp.
4. Steven Bykovsky – broker 10/20/03 – present  
Sveta Soltanova – broker 05/24/06 – present
5. (a) Nixon Peabody, LLP  
(b) June 5, 2007  
(c) Written Notice  
(d) Coverage denial, Quentin Terrace

6. No investigation was conducted.
7. February, 2007
8. Date the work began – February 2004  
Date the work ended – Still in progress
9. Construction management, general contracting, demolition, site work, excavation, cast in place concrete, masonry and precast, structural steel, rough carpentry, carpentry, architectural millwork, roofing and waterproofing, wood doors, frames, hardware, and groves, tiles and stones, painting, plastering, and HVAC.
10. Construction management, general contracting, demolition, site work, excavation, cast in place concrete, masonry and precast, structural steel, rough carpentry, carpentry, architectural millwork, roofing and waterproofing, wood doors, frames, hardware, and groves, tiles and stones, painting, plastering, and HVAC.
11. Agreement dated February 19, 2004 between Forthright Construction, Inc. and Wonder Works Construction Co.
12. 

MMG Design	Demolition, Excavation	02/19/04 - 06/24/04
ATY Construction	Cast in Place Concrete, Sheeting	06/01/04 - 07/20/05
N&C Iron Work	Structural Steel	03/29/05 – present
OMI Construction	Masonry	03/30/06 – 09/30/07
13. None other than the instant action.
14. Not applicable.
15. On February 7, 2004 after receiving a letter from the Law Offices of Steve Newman.
16. The letter from the Law Offices of Steve Newman was faxed to Wonder Works and the insurance broker, Steven Bykovsky. They took it into consideration.
17. There were cracks in the foundation and a crack and small hole in the slab near the boiler. All damage found was in existence prior to the commencement of the work. No damage was related to work done by or on behalf of Forthright Construction or Wonder Works.
18. See answer to 17 above.
19. The damage inspection began in March, 2004.
20. Defendant has incurred and continues to incur ongoing legal fees for the defense of this action. All amounts shall be provided.

21. Atlantic Casualty Insurance Company.
22. Mark Kanevsky – as co-owner of Forthright Construction, Inc.  
Rinat Yanborisov – as co-owner of Forthright Construction, Inc.
23. Statement dated March 20, 2007 by Mark Kanevsky.
24. Statement dated March 20, 2007 by Mark Kanevsky.
25. Mark Kanevsky and Rinat Yanborisov

Dated: Brooklyn, New York  
March 4, 2008

Rachel L. Kaylie

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